REMARKS/ARGUMENTS

Claims 1-14 are pending. In light of the amendments and following remarks, Applicant believes all the claims are in condition for allowance.

The § 102(e) Rejection of Claims 1-14

Claims 1-14 were rejected under 35 USC § 102(e) allegedly being anticipated by U.S. Patent No. 6,591,266, issued July 8, 2003 to Li et al. (hereinafter "Li"). Accordingly, it is asserted that Li discloses all the features of the pending claims. For the following reasons, Applicant respectfully traverses the rejection.

Applicant appreciates the Examiner's response to the arguments presented in the previous Amendment as it helps clarify the outstanding issues. Initially, the Office Action stated "Li teaches the daemon 232 checks, at periodic intervals, whether the web page has changed (page 4). Applicant agrees that Li describes this feature.

Next, the Office Action stated as follows:

> In order for program to check periodically, the system must inherently have an internal-clock/scheduler to invoke an executable (program/code) to check and generate a new (copy) web (Li, col. 19, lines 2-19).

(pages 4-5, emphasis supplied). Applicant disagrees that it is inherent that daemon 232 generates a new copy of the web page after it has determined that data has changed. In fact, Li teaches away from this feature.

Li describes that after daemon 232 determines that data has changed, it can signal that the web page is invalid or send new data so the application server can generate a new web page (col. 19, lines 8-19, see also, col. 18, lines 50-65). At no point does Li describe or suggest that the executable code that generates a quasi-static copy of a web page is scheduled at periodic intervals as claimed. As Li describes other actions, the reference teaches away from the invention.

A prima facie case of anticipation requires, at a minimum, that the cited art teach every feature of the claims. When, as here, the reference does not teach a feature of the claim, a prima facie case of anticipation has not been established. Li has not been shown to teach executable

code that is scheduled at periodic intervals and generates a quasi-static copy of a web page as recited in claim 1. As all the pending claims include a similar feature, all the pending claims are patentably distinct over the reference.

The § 103(a) Rejection of Claims 1-14

Claims 1-14 were also rejected under 35 USC § 103(a) allegedly being obvious over Li. Accordingly, it is asserted that Li discloses or suggests all the features of the pending claims. For the following reasons, Applicant respectfully traverses the rejection.

As described above, the Office Action has not shown where Li discloses executable code that is scheduled at periodic intervals and generates a quasi-static copy of a web page as recited in claim 1. In order to establish a prima facie case of obvious, the Office Action must show 1) some suggestion or motivation to modify the reference, 2) show there a reasonable expectation of success, and 3) the reference must teach or suggest all the claim limitations (see MPEP § 2143). As recited in MPEP § 2143, the teaching/suggestion and expectation of success must be found in the cited art, not Applicant's disclosure. Li has not been shown to establish a prima facie case of obviousness and therefore, the claims are patentably distinct over the reference.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8693.

Respectfully submitted,

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